

REMARKS/ARGUMENTS

Favorable reconsideration of this application in light of the following discussion is respectfully requested.

Claims 1-15 are pending in this application.

In the outstanding Official Action, Claims 1-2, 6-10, and 12-15 were rejected under 35 U.S.C. §103(a) as unpatentable over Takano (U.S. Patent No. 4,581,657) in view of Allis et al. (U.S. Patent No. 4,318,135, hereinafter “Allis”). Claims 3-5 and 11 were rejected under 35 U.S.C. §103(a) as unpatentable over Takano in view of Allis and further in view of Miyahara et al. (U.S. Patent No. 6,439,299, hereinafter “Miyahara”).

With regard to the rejection of Claim 1 under 35 U.S.C. §103(a) as unpatentable over Takano in view of Allis, that rejection is respectfully traversed.

Claim 1 recites in part, “wherein a space configured to receive a tool inserted therein, is formed between the intermediate holding member and the image focusing lens holding member to separate said intermediate holding member and said image focusing lens holding member.”

The outstanding Office Action conceded at page 43, lines 19-22 that Takano does not teach or suggest this feature. The outstanding Office Action then cited Allis as describing this feature.<sup>1</sup> However, Allis describes that each intermediate holding member 101, 101 is attached to the image focusing lens holding member 52 by means of a pair of externally threaded screw members 152, 154 and cooperating locking screws 160.<sup>2</sup>

Accordingly, if the intermediate holding member of Allis is separated from the image focusing lens holding member, the screws must be removed. Thus, the space in Allis is not used for separating. According, Allis does not teach or suggest that “a space configured to

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<sup>1</sup>See outstanding Office Action at page 4, lines 1-4.

<sup>2</sup>See Allis, column 5, lines 28-33 and Figure 7.

receive a tool inserted therein, is formed between the intermediate holding member and the image focusing lens holding member to separate said intermediate holding member and said image focusing lens holding member,” as recited in Claim 1.

Further, the outstanding Office Action states at page 4, lines 9-11 that, “The suggestion/motivation for doing so would have been to separate the intermediate holding member and the image-focusing lens holding member, *as taught by applicant.*” (Emphasis added.) As discussed above, Allis does not teach or suggest “a space configured to receive a tool inserted therein.” Accordingly, there is no basis in teachings of Allis to support the applied combination. Certainly, the Office Action fails to cite any specific teachings within either reference to support this combination. In fact, the only source alluded to for this feature is the present application, as noted above. Accordingly, it is respectfully submitted that the combination of Takano and Allis is the result of hindsight reconstruction, and is improper.

Consequently, as Takano and Allis do not teach or suggest “a space configured to receive a tool inserted therein,” and there is no suggestion or motivation to combine the cited references, Claim 1 (and Claims 2-5 dependent therefrom) is patentable over Takano and Allis.

As independent Claims 6, 7, and 8 recite similar elements to Claim 1, Claims 6, 7, and 8 (and Claims 9-15 dependent therefrom) are also patentable over Takano and Allis.

With regard to the rejection of Claims 3-5 and 11 as unpatentable over Takano and Allis in view of Miyahara, Claims 3-5 and 11 depend from Claims 1 and 8, and thus are believed to be patentable for at least the reasons described above with respect to Claim 1. Further, Miyahara does not cure any of the above-noted deficiencies of Takano and Allis. Accordingly, Claims 3-5 and 11 are patentable over Takano and Allis in view of Miyahara.

Accordingly, in view of the present amendment, no further issues are believed to be outstanding and the present application is believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

*Edward Tracy*

Gregory J. Maier  
Attorney of Record  
Registration No. 25,599

Customer Number  
**22850**

Tel: (703) 413-3000  
Fax: (703) 413 -2220  
(OSMMN 06/04)

Edward Tracy  
Registration No. 47,998

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